

**REMARKS**

Claims 1-2, 5-8, and 19-22 have been amended. Claims 3-4, 15-18, 23-27, and 30-43 have been canceled. No new claims have been added. Claims 1-2, 5-14, 19-22, and 28-29 are pending.

Claims 40-43 stand rejected under 35 U.S.C. § 112, second paragraph, due to a claim dependency error in claims 40-41. Claims 40-43 have been canceled.

Claims 1-4, 6-8, 19-27, 30-37, 39-43 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Tuskada (U.S. Patent No. 4,640,987). Claims 5, 15, 17, and 28-29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nealon (U.S. Patent No. 5,463,659) in view of Becker (U.S. Patent No. 4,731,814). Claims 9-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tuskada in view of Nealon. Claim 16 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nealon in view of Becker and Tuskada. Claim 38 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Tuskada in view of Yamagata (U.S. Patent No. 5,296,766). These rejections are respectfully traversed.

Claim 1 recites, *inter alia*, "answering, by a first party the incoming call at one of said base unit and said plurality of handsets; initiating an intercom connection, by an intercom initiating party, to alert an intercom receiving party; automatically placing said incoming call in a hold status if either said intercom initiating party or said intercom receiving party is also said answering party; and accepting said incoming call, by said intercom receiving party, by terminating the hold status."

Claim 5 recites, *inter alia*, "the first party alerting a second party, by initiating an intercom connection between said first handset and said second handset, while the

incoming call is automatically placed in a hold status; and the second party accepting the incoming call at the handset by terminating the hold status.”

Claim 6 recites, *inter alia*, “a base station ... and at least two ~~one~~ cordless telephone handsets ... in response to initiation of an intercom communication at one of said base station and handset to place an active call at at least one of said base station and handset on hold during said intercom communication.”

Claims 9 and 12 recite, *inter alia*, “a base station ... at least a first and second cordless telephone handsets ... in response to initiation of an intercom communication at said base station or one of said first and second handsets to place an active call on hold during said intercom communication.”

Tsukada discloses a cordless telephone system which includes a single base unit and a single handset. Both the base unit and the hand set include an intercom key. The intercom key is used to establish an intercom connection between the base unit and handset. The cordless telephone system supports transferring a telephone call between the base unit and handset by depressing the intercom key on the transferring unit, which places the telephone call on hold and calls the other unit in the intercom mode. As seen in Figs. 5 and 6, the telephone call can be transferred from one unit to another through additional use of the intercom key, or a hybrid mode permitting communication between the telephone call, base unit, and handset can also be established. If the telephone call is transferred between the base unit and handset, the telephone call is automatically removed from the hold status established by the intercom mode. As noted in the Office Action, Tsukada fails to teach or suggest a cordless telephone system which include a single base unit and multiple handsets. In the present invention a call can be transferred among the base and the plurality of handsets providing greater versatility in the phone system.

Becker discloses a cordless telephone system which includes a single base unit and a single handset. See Abstract; Column 1, lines 12-13. Becker discloses using a microprocessor in the cordless telephone system to manage power consumption in a battery powered handset. More specifically, control messages are sent to the handset using frequency shift keyed (FSK) signals which include a field for transmitting, for example, an operational code. As shown in Fig. 7B and described at column 11, lines 18-28, Becker also discloses an automatic mode which places a telephone call into a hold status when an intercom mode is initiated between the base unit and handset.

Yamagata is directed to a cordless telephone system which can operating using a larger number of channels. The larger number of channels are divided into groups of channels to permit faster operation. Yamagata, like Tsukuda and Becker, only discloses the use of a single handset.

Each of the above discussed references disclose cordless telephone systems having a single base unit in combination with a single handset. Each of independent claims recite, *inter alia*, multiple handsets, and thus the capability of providing intercom communication and call transfer between plural handsets. Additionally, claim 1 recites a method for use in a phone system which provides support for a call answering party, an intercom initiating party, and an intercom receiving party where the call answering party may be independent from, or one of the intercom initiating or receiving parties. Accordingly, independent claims 1 and 6 are believed to be allowable. Depending claims 2, 7-8, and 19-22 are also believed to be allowable for at least the same reasons as independent claims 1 and 6.

Nealon discloses a cordless telephone system which includes a single base unit and multiple handsets. Communication between the base unit and handsets are performed using a frequency hopping system over multiple channel. Starting channel

and security information are transmitted among the components of the cordless telephone system via a registration procedure which uses low power transmissions. As noted in the Office Action, Nealon fail to teach or suggest a cordless telephone system which automatically places a telephone call on hold when establishing an intercom mode or which automatically removes the telephone call from the hold status when the intercom mode is terminated.

The Office Action asserts that it would have been obvious to combine the teachings of Nealon with either Tsukada or Becker to have arrived at the claimed invention. It is respectfully asserted that this conclusion is in error.

Nealon is directed to a method for controlling channel allocation for a plurality of handsets in a cordless telephone system. The act of placing a telephone call on hold while initiating an intercom between different components of a cordless telephone system is wholly unrelated to channel allocation. There is no teaching or suggestion in Nealon which suggests that it would be desirable to have a mechanism for automatically placing a call in the cordless telephone system on hold during an intercom session. Nealon only discloses that it is possible for one handset to initiate an intercom session with another handset. Similarly, there is no teaching or suggestion in either Tsukada or Becker regarding placing a telephone call in a cordless phone system on hold when the cordless telephone system include plural handsets. Additionally, none of the references teach or suggest a control mechanism for transferring a telephone call among a base and a plurality of handsets. It is respectfully submitted that the examiner's conclusion of obviousness is based upon impermissible hindsight. The motivation for the combination suggested by the Office Action appears to be reconstructed based upon the pending claims. Accordingly, independent claims 5, 9, and 12 are believed to be allowable. Depending claims 10-11, 13-14, and 28-29 are also believed to be allowable for at least the same reason as independent claims 5, 9, and 12.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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